

REMARKS

Claims 1, 6, 7, 9 and 11-13 are presented for consideration, with Claims 1, 12 and 13 being independent.

An editorial change has been made to the specification. In addition, the abstract has been replaced to better set forth technical aspects of the claimed invention.

In the claims, Claim 1 has been amended to further distinguish Applicant's invention from the cited art. In addition, Claims 11-13 have been added to provide an additional scope of protection. Claims 2-5, 8 and 10 have been cancelled.

Applicant is submitting concurrently herewith a Submission of Replacement Sheets of Drawings showing Figures 10 and 11 labelled as "Prior Art." Approval of the Replacement Sheet is respectfully requested.

Claims 1-6 and 8-10 stand rejected under 35 U.S.C. §103 as allegedly being obvious over Braff '952 in view of Chou '380. This rejection is respectfully traversed.

Claim 1 of Applicant's invention relates to a target object modification apparatus comprised of an aligner device configured to be able to manipulate a posture of a supplied target modification minute object, first feed means configured to be able to supply the target modification minute object to the aligner device, and first injection means configured to be able to inject first modifiers onto the target modification minute object after the target modification minute object is set to a predetermined posture by the aligner device. Claim 1 has been amended to include second injection means configured to be able to inject second modifiers onto the target modification minute object after it is set to a predetermined posture by the aligner device, a

carriage configured to align an injection position for the target modification minute object of the first injection means and the second injection means, and second feed means configured to extract the target modification minute object from the aligner device.

Support for the amendments to Claim 1 can be found, for example, in Figure 1 and the accompanying specification beginning on page 9, line 7. In accordance with Applicant's claimed invention, a high performance target object modification apparatus can be provided.

The primary citation to Braff relates to a cell analysis and sorting apparatus that includes a parallel plate flow chamber and electric field traps, such as electrodes 32, for capturing a cell 34 to be analyzed (see Figure 4). The Office Action asserts that Braff includes feed means, in the form of sample injection valve 152 (Figure 15), but acknowledges that Braff does not clearly state that modifiers are injected to the aligner device using separate injection means other than the cell feed means.

The secondary citation to Chou relates to a particle analysis system and was cited to compensate for the deficiencies in Braff. Chou shows, in Figure 2A, a system 110 that includes input reservoir 112 and a microfluidic network 114 having fluidic channels 116, 118 and 120. With reference to Figure 95, the Office Action takes the position that Chou adds cells to a system using first feed means 2420 and separate injection means 2460.

Without conceding to the propriety of combining Braff and Chou in the manner proposed in the Office Action, it is submitted that such a combination still fails to teach or suggest Claim 1 of Applicant's invention. For example, Claim 1 now sets forth first injection means to inject a first modifier and second injection means to inject a second modifier onto the

target modification minute object. These features, among others, are not taught or suggested by the proposed combination of art. Accordingly, reconsideration and withdrawal of the rejection of Claims 1-6 and 8-10 under 35 U.S.C. §103 is respectfully requested.

Claim 7 was rejected under 35 U.S.C. §103 as allegedly being obvious over Braff, Chou and further in view of Hoffman '623. This rejection is respectfully traversed.

The tertiary citation to Hoffman relates to a cleaning apparatus and is relied on for a recovery mechanism for cleaning and sterilizing an injection means. Hoffman fails, however, to compensate for the deficiencies in Braff and Chou as discussed above with respect to Claim 1. Accordingly, reconsideration and withdrawal of the rejection of Claim 7 under 35 U.S.C. §103 is respectfully requested.

Newly presented independent Claims 12 and 13 are also submitted to be patentable over the cited art. Claims 12 and 13 are directed to a target object modification apparatus and a method for modifying modifiers onto a target object, respectively, whereby a first modifier can be injected onto a first surface of the target modification minute object and a second modifier can be injected onto a second surface of the target modification minute object. Support for these claims can be found, for example, in Figure 6 and the accompanying specification on page 14, line 13, *et. seq.* These claims are also submitted to be patentable over the art discussed above.

Accordingly, it is submitted that Applicant's invention as set forth in independent Claims 1, 12 and 13 is patentable over the cited art. In addition, dependent Claims 6, 7, 9 and 11

set forth additional features of Applicant's invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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